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**Testimony of the City of New Haven
Before the Transportation Committee**

Regarding

SB 190: AN ACT CONCERNING MUNICIPAL PENALTIES FOR RETRIEVAL OF A DIRT BIKE AND ESTABLISHING A TITLE SYSTEM FOR DIRT BIKE OWNERSHIP

Submitted by

Sgt. Vincent Anastasio, New Haven Police Department
February 20, 2013

Senator Maynard, Rep. Guerrero, and members of the Transportation Committee,

Thank you for the opportunity to testify in support of SB 190: An Act Concerning Municipal Penalties for Retrieval of a Dirt Bike and Establishing a Title System for Dirt Bike Ownership.

There have been numerous instances in our community where individuals illegally operate dirt bikes and ATVs on City streets, in parks and on sidewalks. This use causes a danger to both pedestrians and the operators. There are too many stories to recount – from those in my East Shore district where riders have illegally created a track in the Bishop Woods Bird Sanctuary, to a case in the Edgewood neighborhood last spring where a rider knocked a seven year old girl over while she waited at the bus stop with her father. As there is no safe way for officers to chase or otherwise apprehend these scofflaws while they are operating these vehicles, it is difficult for law enforcement to combat these quality of life problems.

In the past several years we have adopted strategies to address these concerns including a tip line for citizens to report where dirt bikes and All Terrain Vehicles (ATVs) are stored by those who illegally operate on City Streets. We have recently adopted a policy of requiring an officer to be present when equipment is released from impound to the lawful owner to help officers reinforce the message about the dangers of the unlawful operation of dirt bikes and ATVs in the City. But the problem still persists. Residents and law enforcement are both frustrated.

What law enforcement needs are additional tools to help combat this problem. The first would be stiffer penalties. Current state statute only allows the City to impose a fine up to the state maximum of \$250. This fine is not an effective deterrent. The fine threshold should be set to an amount that either deters the illegal use, or reduces the instances when these impounded vehicles are retrieved. Philadelphia, PA establishes a fine of \$2,000 for this purpose. The second strategy would be to clarify municipal powers to destroy abandoned dirt bikes and ATVs similar to those established for abandoned motor vehicles helping to reduce the cycle of illegal use and reduce the prevalence of these vehicles in our City. The third strategy would be to require a title or registration to help to track legal ownership of these vehicles and establish a presumption of responsibility to the titled owner for illegal use of the vehicle.

We welcome the support of the State Legislature in helping to combat the illegal use of dirt bikes and ATVs on our streets and in our parks where they cause a public nuisance and a threat to safety. Thank you for your consideration.